

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

April 28, 2016

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

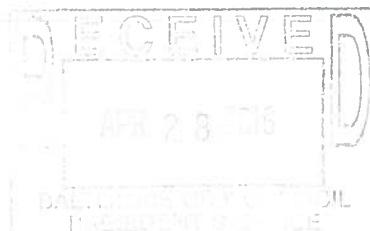
Re: City Council Bill 16-0638 – Urban Renewal – Hilton North Business Area
- Amendment

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 16-0638 for form and legal sufficiency. The bill amends the Urban Renewal Plan for Hilton North Business Area to amend Exhibit 4 of the Plan to reflect the change of zoning, upon approval by separate ordinance, for the properties known as 3000-3052 West North Avenue. The bill also waives certain content and procedural requirements, makes the provisions of this Ordinance severable, provides for the application of this Ordinance in conjunction with certain other ordinances, and provides for an immediate effective date.

The proposed change to the Urban Renewal Plan is contingent on the passage of Council Bill 16-0637, which seeks to rezone the above properties from the B-2-2 Zoning District to the B-2-3 Zoning District. The Report from the Planning Commission (“Report”), recommended approval of this rezoning pursuant to the companion bill. *See Report at 2-3.*

Article 13, Section 2-6(g)(1) of the Baltimore City Code requires that any change to an Urban Renewal Plan be made by ordinance. *See also* Baltimore City Code, Article 13 § 2-1(c)(3) and § 2-6(d)(7) (any zoning change proposed by an urban renewal plan must be approved by an ordinance pursuant to the Land Use Article of the Maryland Annotated Code); *Donnelly v. Mayor and City Council of Baltimore*, 279 Md. 660, 665 (1977) (requirement that any change in zoning embodied in an urban renewal plan is to be approved by separate ordinance in accordance with procedures governing zoning ordinances assures that urban renewal schemes will not be utilized to enact zoning changes). As this is the appropriate mechanism for making changes to the Plan, and assuming the City Council adopts the Report’s finding of a substantial change in the neighborhood and passes Council Bill 16-0637, the Law Department approves the bill for form and legal sufficiency.



Sincerely,

A handwritten signature in black ink, appearing to read "m Landis".

Jennifer Landis
Assistant Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Victor Tervalva, Chief Solicitor